IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 26TH OCTOBER 2006 / 4TH KARTHIKA 1928

Bail Appl..No. 6331 of 2006()

CC.1756/2002 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

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PETITIONER

SUNNY, AGED 56,
S/O.FRANCIS, THENAMPARAMBU VEETTIL,
KARSHAKA ROAD, ERNAKULAM VILLAGE.

BY ADV. SRI.S.NIRMAL KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
S.I. OF POLICE, CENTRAL POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 6331 of 2006

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Dated this the 26th day of October, 2006

O R D E R

I heard the lucid arguments of the counsel for the petitioner. It is submitted that the accused, who was present before the court, had gone for passing urine and because of the lack of facilities in the near by area, the petitioner, was late to attend the court, when the case was taken up for examination of the witnesses. The learned Magistrate, because of the pressure of the work, has cancelled the bail bond and issued non-bailable warrant. Hence, the petitioner is before this Court, to avert the arrest in C.C.No.1756/2002 of the Chief Judicial Magistrate, Ernakulam, in Crime No.141/2002 of Central Police Station, Ernakulam.

2. After hearing both sides and in order to avoid another catastrophe, to both the petitioner as well as to the court, I direct the petitioner to surrender before the court below on 02/11/2006, at 11 a.m.

3. The learned Magistrate shall allow the petitioner

to be on bail, and proceed with the case, according to the law.

4. The learned Magistrate is free to impose such conditions, as are deemed necessary, except imposing cash bond, so that the petitioner will be available during the trial.

(J.M.JAMES)
Judge

ms